REMARKS

Applicant respectfully requests reconsideration of this application.

Office Action Rejections Summary

Claims 1, 3, 4, 5, 13-15 and 36-38 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,748,468 of Notenboom et al. ("Notenboom") in view of U.S. Patent No. 4,178,479 of McDonald et al. ("McDonald").

Claims 7-11, 9-11, 17-23, 25-34 and 40-51 have been allowed.

Status of Claims

Claims 2-5, 7-11, 13-15, 17-23, 25-34, 36-38 and 40-51 are pending in the application. No claims have been currently amended. No claims have been currently added. No new matter has been added. No claims have been currently canceled.

Claims 7-11, 9-11, 17-23, 25-34 and 40-51 have been indicated as allowable. Therefore, the following remarks are directed to the rejected claims.

Claim Rejections

Claims 1, 3, 4, 5, 13-15 and 36-38 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Notenboom in view of McDonald. Claim 1 is not currently pending in the present application and, it is assumed that the Office Action intended to refer to currently pending independent claim 2 instead. Independent claim 2 includes the limitation of "said channels are grouped together in a carrier system" and claims 13 and 36 include the limitation of "grouping various number of said channels together in a carrier system."

In regards to claims 2, 13 and 36, the Office Action asserts that "[o]ne of ordinary skill in the art would have been motivated to incorporate channels grouped together in a carrier system into the communication network of Notenboom in order to utilize a plurality of multi time slot digital data buses. Therefore, it would have been obvious to

one of ordinary skill in the art at the time the invention was made to incorporate various numbers of channels grouped together in a carrier system such as the one taught by McDonald into the communication network of Notenboom with the motivation being that it provides system performance." (6/28/05 Office Action, pp. 2-5).

Applicants respectfully disagree with the Office Action's assertions and submit that one of ordinary skill in the art would not be motivated to combine the teachings of McDonald with those of Notenboom. In particular, Notenboom is directed to an architecture within a computer system having a DSP co-processor 44 that communicates with a CPU 28 on bus 32 without frequency translation in the communication (i.e., non-carrier communication). (Notenboom, col. 4, lines 30-60; Figure 1). In contrast to Notenboom, McDonald is directed to communications between a central telephone office base switch and a local subscriber switch using time division multiplexing (TDM) over a plurality of multi-time slot digital data buses commonly known as a T-1 line. The calls are delivered through channelized T1 carriers. (McDonald, col. 1, lines 30-37; col. 2, lines 28-31). It is submitted that one of ordinary skill in the art dealing with internal computer architectures would not look to the teachings of TDM telephone architecture employing carrier communication because such a carrier system is not practical for the communication of digital signals between components contained within a computer system. The Office Action asserts that the motivation to combine would be that the use of a carrier system in an internal computer system would "provide system performance." It is respectfully submitted that such a motivation is inapposite here.

First, the mere fact that references can be combined or modified is not sufficient to establish prima facia obviousness unless the prior art also suggest the desirability of the combination. In re Mills, 916 F.2d 680 (Fed. Cir. 1990); MPEP 2143.01. It is submitted that the neither McDonald nor Notenboom suggest the desirability of making the combination asserted by the Office Action. Furthermore, it is submitted that one of ordinary skill in the art working on computer architectures would not be motivated to look to the teachings of TDM carrier systems because, for the sake of argument, even if

such a TDM carrier system could be implemented in a computer system architecture, it would be unnecessary, extremely impractical and expensive and thereby not advantageous to do so.

Moreover, it is respectfully submit that the Office Action's purported motivation to combine references would require a substantial reconstruction and redesign of Notenboom (i.e., the use of carriers within a computer system architecture) as well as a change in the basic principle under which Notenboom was designed to operate and, therefore, the references cannot be combined in the manner purported by the Office Action. See MPEP 2143.03. Accordingly, it is submitted that claims 2, 13 and 36 and their corresponding dependent claims 3-5, 14-15 and 37-38, respectively, are patentable over the combination of cited references.

In conclusion, applicants respectfully submit that in view of the arguments set forth herein, the applicable rejections have been overcome.

If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Daniel Ovanezian at (408) 720-8300.

If there are any additional charges, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

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Dated: 10/25, 2005

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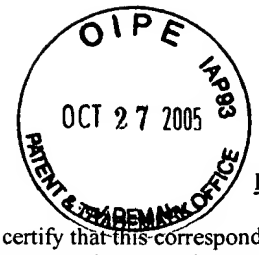

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